

## REMARKS

Claims 20-30 are pending in the application. Applicants respectfully request reconsideration in view of the remarks submitted herewith. As explained below, Applicants submit that the application is in condition for allowance.

Claims 22-30 stand rejected under 35 U.S.C. § 112, first paragraph, for containing new matter. The Examiner asserts that the limitation, which was added in Applicants' last response, is new matter. That limitation is as follows: "wherein said at least two chambers are connected to opposite sides of the suspension unit at a common edge, so that the suspension unit is lying between said at least two chambers." As shown in Figures 1 and 2, and explained on page 10, line 3, the infusion bag 1 has two individual chambers 2 and 3, which are connected with a suspension unit 4 along a connecting edge 5. The chambers are sealed along their edges 6 and 7. In addition, Figure 1 shows that the chambers are sealed along the edge 7 by the hatched marks shown on chamber 3. Thus, as Figure 1 discloses, because the chambers are sealed along the edge 7 (shown by hatch marks) and the suspension unit is between the two chambers, the two chambers are connected to opposite sides of the suspension unit at a common edge so that the suspension unit is lying between the two chambers. Figure 1 discloses the claimed limitation. While the Examiner describes the various ways the suspension unit could be connected to the chambers, Figure 1 and the respective description clearly supports the claimed limitation.

In addition, the Examiner also asserts that claim 30 includes new matter because the claim recites "wherein said chambers each having a bottom side, said bottom sides are releasably connected to each other." However, Figure 1 and 2, and the supporting description on page 10, lines 3-11 clearly support the limitation. Figure 1 shows and the specification describes that the chambers are sealed along edge 6. Figure 2 shows and the specification describes that edge 6 releases and the chambers 2 and 3 fall away from the suspension unit. Thus, the chambers 2 and 3 have a bottom side 7, and the bottom sides are releasably connected to each other.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection as to claims 22-30.

Claims 20, 21, 24-26, 28, and 30 stand rejected under 35 U.S.C. § 103(a) as being

unpatentable over any Welin-Berger (GB 962038) in view of Bonne et al. (US 4,844,914) ("Bonne"), Romagnoli (US 4,828,851) and Irmscher (US 3,053,665), further in view of Welin-Berger (U.S. 3,223,229). Claim 23 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the references as applied to claim 22, and further in view of Rambold (US 3,899,599). Claim 27 stands rejected under 35 U.S.C. as being unpatentable over the references as applied to claim 22, and further in view of Tremaine (GB 24,151-12/1904). Claim 29 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the references as applied to claim 22, and further in view of Barnett (US 2,791,505) and Graves (US 3,914,439).

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Claim 20 includes the following limitations: "forming a suspension unit of a sheet-like carrier material \* \* \* connecting simultaneously said at least two chambers at said top side to said suspension unit such that said chambers are turned away from said grasping area, wherein said at least two chambers are connected to opposite sides of the suspension unit at a common edge, so that the suspension unit is lying between said at least two chambers."

Claim 21 includes the following limitations: "forming a suspension unit of a sheet-like carrier material \* \* \* connecting a first of said at least two chambers at a first top side to said suspension unit; connecting a second of said at least two chambers at a second top side to said suspension unit and to said first top side to form a common edge of said at least two chambers; \* \* \* wherein said at least two chambers are connected to opposite sides of the suspension unit at a common edge, so that the suspension unit is lying between said at least two chambers." Claim 22 includes the following limitation: "said chambers each having a top

side and being connected at respective top sides to form a common edge; and a suspension unit made of sheet like carrier material, said suspension unit having a grasping area, wherein said chambers are connected to opposite sides of the suspension unit at the common edge, so that the suspension unit is lying between said chambers." None of the references teach or suggest these limitations.

In essence, each of the claims requires that the top sides of the chambers are connected at a common edge and that the chambers are connected to the opposite sides of a suspension unit at the common edge. Moreover, all of the independent claims require that the suspension unit is a sheet-like carrier material. Welin-Berger does not teach or suggest a suspension unit of sheet like material and connecting the chambers on opposite sides of the sheet-like material.

As explained in Applicants' last response, Welin-Berger teaches that the two compartments are attached by a string. The Examiner refers to figures 3-5 of Welin-Berger and asserts that the figures do not show a string. Applicants disagree. The string is part of figures 3-5, however, because the view is a side view, the string cannot be distinguished from the flap. As seen in figure 8, when the chambers are folded, the string is next to the flap, and thus, the string cannot be seen in figures 3 and 4. In figure 5, the string and flap are extended, however, because it is a side view, the thickness of the flap is the same width as the string and thus, the flap and string are indistinguishable from this view.

In addition, the Welin-Berger ('038) teaches the following: "The flap 2 is double-walled encloses between its walls a coiled string 4, one end 5 of which is connected to the flap and the other end 6 is connected to the bag itself." See page 2, line 130 to page 3, line 4. While the flap 2 is connected to the bag, it is connected by a narrow part 3 and is adapted to be torn off in an easy manner so that "the flap can be extended to form a remaining connection between the flap and the bag and to facilitate the suspension of the bag in the cup." See page 3, lines 7-11. Welin-Berger also teaches that "It is conceivable to have string even prior to the separation of the flap from the only connected between the flap and the bag in which case the connecting part 3 may be omitted." See page 3, lines 11-15. Accordingly, Welin-Berger teaches that it is only the string that must be attached to the chambers.

Welin-Berger then goes on to teach that "In the embodiment shown in Figs. 3 to 5 the

bag is sub-divided into two compartments 1a and 1b each of which has walls of fabric or network interconnected at one edge where a flap 2 with a string according to Fig. 1 may be provided." See page 3, lines 20-25 (emphasis supplied). Essentially, Welin-Berger teaches that the two compartments are attached together at the string. See Figures 2 and 5. Moreover, Welin-Berger requires both the flap and the string. Welin-Berger does not teach or suggest that the chambers are connected to opposite sides of a sheet like suspension unit at the common edge so that the suspension unit is lying between the chambers. In addition, Welin-Berger does not teach that the chambers are connected to opposites of the string. Instead, Welin-Berger teaches that the string is "interconnected at one edge."

Moreover, contrary to the Examiner's assertions, no other reference cures the deficiency of Welin-Berger ('038). Bonne teaches that the two chambers 20 and 21 are connected on both parallel edges, however, the suspension unit does not lie between the two chambers. Moreover, Bonne would not work if the suspension unit was located between the two chambers because there would be no way for the user to grasp the suspension unit. In Bonne the suspension unit must be located outside of the two chambers.

Romagnoli, Immscher, Barnett, and Welin-Berger ('229) each teach a filter bag with a thread attached to the chamber. Accordingly, those references' teachings are similar to Welin-Berger ('038) and do not cure the deficiency of Welin-Berger ('038).

Thus, claims 20-22 are patentable over the cited references. Because claims 23-30 include all of the limitations of claim 22, claims 23-30 are patentable over the cited references. Accordingly, Applicants respectfully request that the rejections be withdrawn.

In addition, with respect to claim 30, which requires that bottom sides of the chambers are releasably connected to each other, the Examiner asserts that Romagnoli discloses that one can releasably connect chambers together. However, none of the references teach having the chambers releasably connected when the suspension unit is located between the two chambers. Accordingly, for this additional reason, the rejection as to claim 30 must be withdrawn.

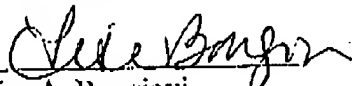
In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone

conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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